

Minutes 3/27/06 Legislative Chambers/ Kingston NY

Charter Commission Members present:

Dr. G. Benjamin

Mr. L. Klein

Mr. T. Roach

Mr. J. Dewey

Ms. M. Collins

Ms. R. Sachs

Mr. C. Cunningham

- I. Jerry opened meeting to solicit ideas and input from Legislature/public for discussion and resolution to be considered by the commission on meeting to be held on 3/30/06. Previous public meetings had been held for information and involvement in Charter review.
- II. Members of public invited for comments:
 - a. Chairman Donaldson: Thanked Commissioners. Election of Legislature: recommended 2 yr term, would be appropriate due to single member redistricting.
 - b. Commissioner Roach to Chairman Donaldson: asked for clarification if recommendation included both terms and staggered elections. Donaldson response: recommendations only applied to terms, keep provision for staggered elections.
 - c. Commissioner Sachs: commented that one reason for four year term is that it would give Legislature more power to balance new Executive branch.
 - d. Legislator Kraft: Applauded Commission's work. 1) "What is process for moving forward? Chairman Benjamin response: Commission to incorporate changes on 3/30 meeting, forward letter with changes to Chairman Donaldson, Legislature discuss & review with Attorney, Legislature votes on how to present Charter on ballot according to NYS Law, Majority of City of Kingston and Majority of votes outside City required for passage, if passed, Legislature must provide for transition. 2) "Did Commission study restructuring or reorganization?" Chairman Benjamin response: No, reviewed span of control. Copy sent to Chairman Donaldson. 3) "Explain Executive dept. head appointment with Legislative approval." Chairman Benjamin explained department head appointment process and board appointment process. 4) "Can current law or provision for member number, i.e. 2010, be changed? Answer: yes. 5) Explain staggered terms." Answer: terms must fit 10 yr reapportionment cycle. 6) Explain district change and reapportionment process – Sec. 2.04." Answer: public process incorporates diversity, timely appointments and actions, drawn upon existing charters. 7) "Explain

Charter revision process.” Answer; can change by Legislative amendment per law and sec. 1.05.

- e. Legislator Lomita: Did Commission recommend ballot items? Answer: Commission recommended term & staggered elections are separate ballot questions. Lomita response: benefit of not having staggered elections is that it energizes the election, more constituent involvement.
- f. Legislator Berardi: 1) Constituents are asking, “Why are we doing this” Answer: Need more separation of powers with stronger Executive Branch. 2) “Is there enough Executive power with current provisions? i.e. Legislature can still make laws” Answer: America runs on 2/3rds + 1 Legislative majority vote. Legislature always has incentives to work with Executive, Commissioner Klein: Separation is that the Executive is responsible to implement policy.
- g. Legislator Avery: Supports change, but not Executive powers that take over independent citizen boards, salary reviews are not good because it gives ability for raises in times of budget constraints (Art. 36). Commissioner Klein: advisory boards keep policy making with the Legislature.
- h. Legislator Noonan: What is implementation and transition effective date? Answer: Effective date is set by Legislature. 2) Re: sec 2.09, “15 days is not enough time for confirmation of appointments. 3) Re: sec. 2.15 “why can’t Chairman fill in for vacancies?” 3) Clarification in sec. 4.08/Budget process, what budget is enacted if 2/3rds override fails? The budget as presented to the legislature. 4) Were term limits considered? Answer: yes, not enacted. Charter provisions provide accountability while allowing for positive aspects of longer terms. 5) Re: sec 7.04, clarify Planning Dir. absolute powers for director. Answer: further provisions under planning board allow for input on land use. Each department head should have 1 boss.
- i. Chairman Donaldson: “how does 23 district recommendation affect implementation date? Answer: provisions need to be changed to reflect effective date.
- j. Legislature Shapiro: Recommended putting charter on one ballot question.
- k. Chairman Donaldson: Recommended Commission to research how long it takes for transition. Answer: Commission will research with recommendation that Legislature develop a task force within county govt. to review.
- l. Legislator Avery: Has costs/benefit analysis been completed? Answer: proven that Ulster County is very expensive to the taxpayers in relation to other counties, but could not prove that a charter with Executive is cheaper. Charter Commission will conduct further analysis and study.
- m. Chairman Benjamin asked Commissioners to review individual recommendations.
Commissioner Klein: Commented on positions that are not currently full time. Full time recommendations: County Attorney to eliminate

appearance of in proprietary, Addition of full time PE – engineer, Health Dept. should be headed by physician.

- n. Chairman Benjamin added that Commissioners' Collins and Catalinotto reviewed draft charter at great length and added technical changes for language, format etc.
- o. Commissioner Sachs: recommends to further define department head qualifications, charter commission review committee should read "qualified electors"
- p. Chairman Benjamin shared comments and recommendations submitted by Margaret Sellers – Community Services Board.
- q. Legislator Kraft: "what are you most proud of with Charter Commission and results? Answer: Bi patrician Commission, Legislative support by 2 distinct partisan Legislatures, addition of Comptroller office, use of modern technology for public outreach, i.e. County website, Public awareness of process. 2) What are the innovative aspects of the document? Answer: Comptroller position for Ulster County, Charter renewal provisions, Salary review process, Intermunicipal cooperation, single member districting, reapportionment commission.

Meeting was closed at 8:20pm.

Submitted by,
Jackie Cook